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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/760,144	01/15/2004	David Y. Kim	ILL01-010-US	7197
43320 75	590 03/21/2006	EXAMINER		
EVAN LAW GROUP LLC 566 WEST ADAMS, SUITE 350			SONG, MATTHEW J	
CHICAGO, IL	•		ART UNIT	PAPER NUMBER
·			1722	

DATE MAILED: 03/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

				y			
	Appl	ication No.	Applicant(s)				
	10/7	60,144	KIM ET AL.				
Office Action Summary		niner	Art Unit				
	Matth	new J. Song	1722				
The MAILING DATE of this com Period for Reply	munication appears o	n the cover sheet w	ith the correspondence ac	idress			
A SHORTENED STATUTORY PERIOD WHICHEVER IS LONGER, FROM THE - Extensions of time may be available under the provafter SIX (6) MONTHS from the mailing date of this - If NO period for reply is specified above, the maxim - Failure to reply within the set or extended period for Any reply received by the Office later than three movement of the period of the carned patent term adjustment. See 37 CFR 1.704	IE MAILING DATE O isions of 37 CFR 1.136(a). In communication. um statutory period will apply reply will, by statute, cause the of the mailing date of the statute.	F THIS COMMUNI no event, however, may a and will expire SIX (6) MO? ne application to become A	CATION. reply be timely filed NTHS from the mailing date of this of BANDONED (35 U.S.C. § 133).				
Status							
1) Responsive to communication(s	a) filed on <i>15 Januar</i> v	2004.					
2a)☐ This action is FINAL .	2b)☐ This action						
3) Since this application is in cond	tion for allowance ex	cept for formal mat	ters, prosecution as to the	e merits is			
closed in accordance with the p	ractice under Ex parte	e <i>Quayl</i> e, 1935 C.[). 11, 453 O.G. 213.				
Disposition of Claims							
4)⊠ Claim(s) <u>1-45</u> is/are pending in	he application.						
4a) Of the above claim(s) is/are withdrawn from consideration.							
5) Claim(s) is/are allowed.							
6) Claim(s) is/are rejected.							
7) Claim(s) is/are objected t	0.						
8) Claim(s) <u>1-45</u> are subject to res	triction and/or election	n requirement.					
Application Papers							
9)☐ The specification is objected to b	y the Examiner.						
10) The drawing(s) filed on is.	are: a) ☐ accepted o	or b) objected to	by the Examiner.				
Applicant may not request that any	objection to the drawing	g(s) be held in abeya	nce. See 37 CFR 1.85(a).				
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).							
11)☐ The oath or declaration is object	ed to by the Examine	r. Note the attache	d Office Action or form P	ΓΟ-152.			
Priority under 35 U.S.C. § 119							
12) Acknowledgment is made of a cl a) All b) Some * c) None €	= ' '	y under 35 U.S.C. {	§ 119(a)-(d) or (f).				
1.☐ Certified copies of the priority documents have been received.							
2. Certified copies of the priority documents have been received in Application No							
3. Copies of the certified copies of the priority documents have been received in this National Stage							
application from the International Bureau (PCT Rule 17.2(a)).							
* See the attached detailed Office action for a list of the certified copies not received.							
Attachment(s)							
1) Notice of References Cited (PTO-892)			Summary (PTO-413)				
 2) Notice of Draftsperson's Patent Drawing Revi 3) Information Disclosure Statement(s) (PTO-14 	,		s)/Mail Date nformal Patent Application (PT)	O-152)			
Paper No(s)/Mail Date		6) 🔲 Other:					

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DETAILED ACTION

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-17 and 32-45, drawn to a method, classified in class 117, subclass 11.
- II. Claims 18-31 drawn to an apparatus, classified in class 422, subclass 245.1.

2. The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another and materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case the apparatus as claimed can be used in another materially different process, such as one where the first plurality of solutions contain the same concentrations of a compound.

- 3. Because these inventions are independent or distinct for the reasons given above and have acquired a separate status in the art in view of their different classification, restriction for examination purposes as indicated is proper.
- 4. Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

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The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C.103(a) of the other invention.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew J. Song whose telephone number is 571-272-1468. The examiner can normally be reached on M-F 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane Smith can be reached on 571-272-1166. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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MJS ·

March 17, 2006

Matthew J Song

Examiner Art Uni 1722

ROBERT KUNEMUND PRIMARY EXAMINER